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APPLICATION NO. 02/010,515	FILING DATE 09/19/97	FIRST NAMED INVENTOR KAYABAKI	ATTORNEY DOCKET NO. N 715 115
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WASHINGTON DC 20005-3096

HM11/0118

EXAMINER TUNG, H
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ART UNIT 1044	PAPER NUMBER
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DATE MAILED: 01/18/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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## Notice of Allowability

Application No.

08/913,555

Applicant(s)

Kayagaki, et al.

Examiner

Mary B. Tung

Group Art Unit

1644



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the communication of 11/12/99

☒ The allowed claim(s) is/are 51-62, 73-75, and 154

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.**

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

1. Claims 1-50 were cancelled in the paper filed September 19, 1997 (Paper No. 3).
2. Claims 51-154 were added in Paper No. 3.
3. Non-elected claims 63-72 and 76-153 were cancelled in the amendment filed 6/29/99 (Paper No. 15).
4. Claims 51-62, 73-75 and 154 are pending.

***REASONS FOR ALLOWANCE***

5. The following is an Examiner's statement of reasons for allowance:

Goodwin (WO 95/18819) teaches monoclonal antibodies that specifically recognize a human Fas ligand (see page 2, lines 27-29, page 3, lines 1-4, page 14 line 35 and bridging over to page 15, line 30, page 16, lines 6-14, page 18, lines 14-21, page 19, lines 3-9, and claims 23-26, in particular). However the '819 patent was overcome as art by the English translation of the priority document JP 87420/1995, filed 3/20/1995.

6. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


***Allowable Subject Matter***


7. Claims 51-62, 73-75 and 154 are allowed.
8. A reference relevant to the examination of this application may soon become available. *Ex parte* prosecution is SUSPENDED. Upon expiration of a PERIOD OF SIX MONTHS from the date of this letter, applicant should make an inquiry as to the status of the application.

***Conclusion***

9. Papers related to this application may be submitted to Group 1640 by facsimile transmission. Papers should be faxed to Group 1640 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). THE CM1 FAX CENTER TELEPHONE NUMBER IS (703) 305-3014 or (703) 308-4242.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mary Tung whose telephone number is (703)308-9344. The Examiner can normally be reached Tuesday through Friday from 8:30 am to 6 pm, and on alternating Mondays. A message may be left on the Examiner's voice mail service. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1640 receptionist whose telephone number is (703) 308-0196.

  
January 14, 2000  
Mary B. Tung, Ph.D.  
Patent Examiner  
Group 1640

  
DAVID SAUNDERS  
PRIMARY EXAMINER  
ART UNIT 182 / 1644